

CIVIL RIGHTS

Today's obstacles to the full civic engagement of the Latino community come from both institutional and purposefully discriminatory actions. NHLA is dedicated to protecting the civil and constitutional rights of all persons within the United States.

PRINCIPAL POLICY RECOMMENDATIONS

DEMOCRACY AND VOTING RIGHTS

- Oppose the unconstitutional attempts to restrict or end birthright citizenship.
- Amend the Voting Rights Act of 1965 to require pre-clearance review of election changes by historic offenders, and require pre-clearance of election changes most associated with voter discrimination, to protect against future discrimination.
- Oppose excessive documentary requirements that disenfranchise Latino citizens.
- Support same-day registration and early voting options.
- Ensure federal investigations and prosecutions of voter discrimination.
- Rein in unlimited corporate money to prevent it from distorting the democratic process.
- Expand absentee and early voting to protect higher-risk populations from COVID-19.

CENSUS

- Oppose any effort to exclude non-citizens from the total population count used to apportion congressional seats and votes in the Electoral College.
- Adequately fund the Census Bureau and support the American Community Survey.
- Ensure that the Census Bureau increases Latino representation in its workforce, enhances its engagement with Latino stakeholders, strengthens its linguistically and culturally appropriate outreach, and includes Puerto Rico in all of its data sets.
- Protect door-to-door Census data collectors from spreading COVID-19 in low-income communities that did not complete the Census online, and provide an extended time period to complete the census if necessary due to the impact of the pandemic.



CRIMINAL JUSTICE AND MASS IMPRISONMENT

- Reform policing to address issues of systemic racism and excessive use of force.
- Reduce the number of people in local jails, state, and federal prisons to stop the rapid spread of COVID-19 among incarcerated people.
- Require law enforcement to better report statistics on hate crimes, and require social media platforms to combat the dissemination of hate and White nationalist rhetoric.
- Adopt guidelines from the American Bar Association (ABA) on a uniform Spanish translation of Miranda rights for Spanish dominant persons.
- Restore the right to vote and access to federal financial aid to all persons regardless of convictions, and reduce the criminal bars to naturalization.
- Require ethnic and racial classifications in all relevant criminal justice data collection.
- Implement pre-trial reforms that reduce excessive bail, bonds, and civil forfeiture.
- Enact trial and sentencing reforms to diversify juries and reduce overly harsh sentences.
- Improve educational, employment, and civic engagement opportunities for the re-entry population.
- Reform juvenile justice systems to break down the school-to-prison pipeline.

JUDICIARY

- Confirm judges who have demonstrated records of preserving or expanding civil rights protections and who reflect the country's growing diversity, and improve the representation of Hispanics in the federal judiciary.
- Reject any representations that judges of Latino ancestry are somehow biased and unfit to serve on the judiciary or preside over specific cases.

EMPLOYMENT DISCRIMINATION

- Support the U.S. Department of Justice and the U.S. Equal Employment Opportunity Commission's (EEOC) enforcement actions against employment discrimination.
- Update and improve the EEOC's guidance on national origin discrimination.

LANGUAGE AND INTEGRATION

- Oppose legislation to establish English as the national language and other measures that discriminate against language minorities.
- Support "English-Plus" legislation and language assistance standards for those with limited English proficiency skills receiving federally supported services.

PROMOTING DIVERSITY AND TOLERANCE IN THE MEDIA

- Promote media ownership diversity, and collect diversity data on media ownership and employment.
- Address hate speech in the media and investigate its correlation to hate crimes.

CIVIL RIGHTS

The barriers to the full civic engagement of the growing Latino community are both institutional and in direct response to the increasing size and influence of the Latino electorate. The political establishment continues to profile, punish, and marginalize potential Latino civic participation. Against the backdrop of increasing demonization

of the Latino and immigrant communities, among other communities of color, NHLA stands united to ensure the full protection of civil and constitutional rights for every individual, because our democracy depends on the contributions of every person in the United States.

DEMOCRACY AND VOTING RIGHTS

American democracy requires constant vigilance against overt and dilutive measures to weaken the Latino vote. Suppression of the Latino vote ranges from intimidation at the polls to illegal purges to excessive documentary requirements to prove citizenship among our naturalized citizens. Such voter identification or restrictive proof of citizenship laws purport to address “voter fraud” — a phenomenon that has no basis in fact. Instead, these measures are aimed at disenfranchising many Latino citizens and

have a disproportionately negative impact on women.⁷⁸

Since the 2013 Supreme Court decision in *Shelby County v. Holder*—which struck down Section 4 of the Voting Rights Act of 1965 (VRA), a key provision that determines those states and subdivisions required to seek federal preclearance for election-related changes to ensure voters are not disenfranchised based on race—discrimination in voting continues to run rampant.

POLICY RECOMMENDATIONS

- Oppose legal and legislative efforts to alter the Fourteenth Amendment’s grant of citizenship to native-born Americans, or to reinterpret the Fourteenth Amendment to exclude children and non-citizens from consideration in legislative apportionment and redistricting.
- Support legislation to amend the Voting Rights Act of 1965 that restores key voting protections by providing for pre-clearance review of election changes by historic offenders and also guards against future discrimination by requiring federal review of election changes most associated with voter discrimination.
- Ensure any legislation to amend the VRA to provide meaningful, long-term protections for the growing and highly mobile Latino electorate.
- Oppose voter photo identification requirements, voter purges, and other measures that disproportionately suppress Latino voter turnout.
- Oppose proof of citizenship requirements for purposes of voter registration; signed attestations are sufficient.
- Support same-day registration and early voting options.
- Support the right of the people of Puerto Rico and the District of Columbia to determine

their future political status.

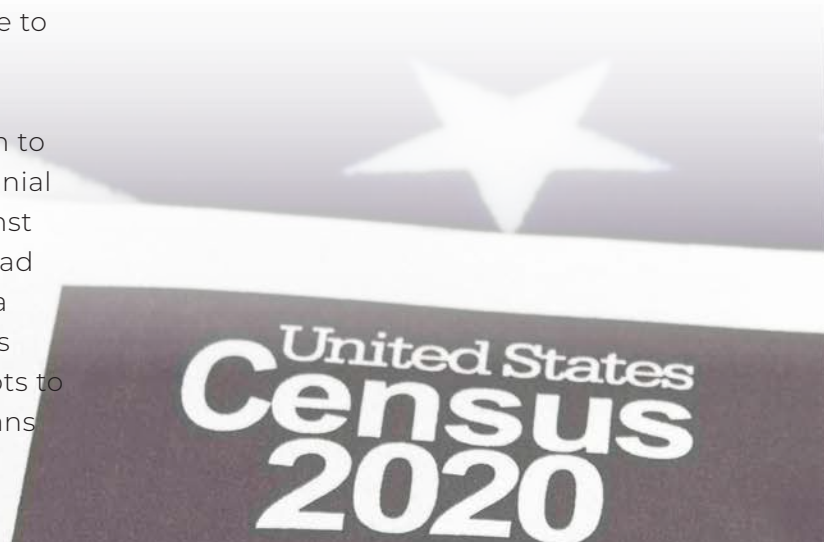
- Support legislation or a constitutional amendment to rein in unlimited corporate money from influencing elections and the democratic process and to remove “personhood” from corporations.
- Provide for new discretionary funding to support states and localities, through the mechanisms established in the Help America Vote Act, in making crucial upgrades to outdated election equipment and processes.
- Ensure the federal government is using all tools at its disposal to target voter discrimination, including rigorous investigation and prosecution of violations of federal language assistance and accessibility requirements applicable to all levels of government actors.
- Abolish the electoral college or support efforts to require electoral college votes to be assigned based on the popular vote nationally.
- Ensure transgender and other individuals can access identification documents based on their gender identity. Outdated and burdensome requirements that make it difficult or expensive for transgender individuals to change government-issued forms of identification create an unfair barrier to their right to vote.
- Expand absentee and early voting to protect higher-risk populations from COVID-19.

CENSUS

The activities of the Census Bureau to collect data on all residents of the United States through the decennial census, American Community Survey (ACS), and other surveys are indispensable to the enforcement of civil rights, to the fair allocation of federal funding, and to documenting the economic and social status of the Latino population. As the United States’ demographic profile becomes increasingly diverse, it is critical that the Census Bureau collect reliable data about Latinos and the nation as a whole, and that Census activities not be held hostage to partisan politics.

The recent attempt by the Administration to insert a citizenship question in the decennial census was motivated by racial bias against Latino residents in the country and has had a chilling effect on the 2020 Census and a corrosive effect on the confidence Latinos should have in their government. Attempts to gather the same data through other means

must be thwarted. Donald Trump’s most recent assault on the Census by announcing an effort to exclude undocumented immigrants from the apportionment count used to divide seats in the House of Representatives and Electoral Colleges votes must be swiftly rejected and reversed for the unconstitutional power grab it is.



POLICY RECOMMENDATIONS

DATA COLLECTION

- Oppose any effort to exclude undocumented immigrants or other non-citizens from the total population count used to apportion Congressional seats and seats in the electoral college.
- Ensure that state redistricting is based on the total population, and oppose the use of anything but the total population to equalize populations in the redistricting process.
- Oppose the collection and production of citizenship or immigration status through the use of administrative records to provide states with block-level data that can be used for redistricting.
- Ensure that data collected through the decennial Census, the American Community Survey, and any other data collections by the Census Bureau cannot be used to personally identify any individual persons within the United States.
- Support a change in the Bureau’s “usual residency rule” to allow prisoners to be counted at their home address and thus eliminate “prison-based gerrymandering.”
- Support the collection of data on sexual orientation and gender identity in the American Community Survey and other surveys, and include a non-binary option under gender.
- Support measures to allow persons to select more than one race or ethnicity — such as Afro-Latinos, Asian American Latinos, and Indigenous Latinos — to report each of their heritages.⁷⁹
- Protect door-to-door Census data collectors from spreading COVID-19 in low income communities that did not complete the Census online, and provide an extended

time period to complete the Census if necessary due to the impact of the pandemic.

FUNDING

- Support sufficient funding to the Census Bureau to adequately prepare for the 2020 Census, and assure the continuation of the Economic Census.
- Fund the Census Bureau to ensure the data collection process is both more effective and efficient while reducing the incidence of undercounting Latinos, children, immigrants, non-English proficient, and other hard-to-reach populations.

AMERICAN COMMUNITY SURVEY AND 2020 CENSUS TESTING

- Support the continuation and further development of the American Community Survey (ACS), including increasing its sample size, to further improve its accuracy with smaller geographies and subgroups. Turning the ACS into a voluntary survey would seriously and completely undermine its value.
- Ensure that the Census Bureau tests all options under consideration with linguistically diverse pools of sample respondents and that any redesign of race and ethnicity questions does not diminish the quality of detailed data collected about specific Latino national origin and other racial and ethnic groups.
- Improve race and ethnicity data collection for all Latinos that will allow individuals to more accurately self-identify.

LATINO EMPLOYMENT AND PROCUREMENT

- Establish a special Latino Employment Task Force that reports directly to the Director

of the Census Bureau to address the long-standing and persistent problem of the extreme underrepresentation of Latinos on the Bureau's workforce.

- Review the use of prior arrest records and citizenship status as barriers to employment to address chronic staffing shortages for the decennial Census. This is particularly critical in the staff recruitment and build-up that takes place before the next decennial census.
- Create and adequately fund the position of Chief Diversity Officer in the Census Bureau to develop a Minority and Woman-Owned Business Procurement Program to substantially increase the business it conducts with Latino and other minority-owned vendors, particularly as it develops its Communications Program for the 2020 Census.
- Identify and eliminate obstacles to such contracting in the Census Bureau's current procurement rules and practices.

LATINO COMMUNITY OUTREACH

- Increase the Census Bureau's active engagement with Latino stakeholders on critical decisions regarding the 2020 Census and other Census surveys, including decisions that may fundamentally alter the collection of

racial, ethnic, and immigration data.

- Ensure adequate representation of Latino community serving organizations on its National Advisory Committee on Racial, Ethnic and Other Populations, its Scientific Advisory Committee and other advisory and expert committees and forums.
- Develop a stronger language assistance program within the Census Bureau that can provide accurate translations and culturally sensitive messages for all of its surveys and services.

PUERTO RICO

- Require the Census Bureau to include Puerto Rico and other territories as part of its regular national population counts and all of its data sets, including the Current Population Survey and the Economic Census, to ensure all U.S. citizens are represented on such critical issues as national measures of economic, health and other indicators.

HATE CRIMES

According to FBI Hate Crime statistics, hate crime offenses against the Latino community have increased steadily over recent years, increasing a shocking 70 percent from 2015 to 2018.⁸⁰ In November 2019 the FBI reported 850 open investigations into domestic terrorism including White nationalism and neo-Nazism movements.⁸¹ The racist attack on Mexicans in El Paso, Texas in 2019, which left 22 people dead and many more

wounded, is just the latest reminder that the public safety of Latinos in the country is of paramount concern when racist rhetoric from the President on down promotes hate and intolerance. The homophobic attack on the Pulse nightclub 2016, which killed 49 people, was the single deadliest attack on the Latino community. Despite the known rise in hate crimes, far too often these incidents are not properly prosecuted as such.

POLICY RECOMMENDATIONS

- Increase the support and funding for Justice Department investigations and prosecutions of hate crimes against Hispanics, including LGBTQ persons.
- Allocate additional resources to the U.S. Commission on Civil Rights to investigate hate crimes against Latinos.
- Close the gaps in existing hate crime reporting by providing grants to states and local law enforcement to adopt policies, practices, and training programs that more effectively identify, investigate, report, and respond to hate crimes.
- Support the implementation of the latest crime reporting standard, the National Incident-Based Reporting System (NIBRS), including training on reporting hate crimes through NIBRS. NIBRS allows law enforcement agencies to record and report detailed information about crimes, including hate crimes, to the FBI.
- Create accountability to ensure that law enforcement grantees report on their progress and require the Attorney General to collect and analyze the information to better mitigate hate crimes.
- Extend civil rights protections to the online marketplace by supporting legislation that combats the dissemination of hate language and White Supremacist rhetoric that is elevated by online media platforms.
- Regulate White Supremacist groups that use internet platforms as tools of radicalization to recruit and organize members and target minority and immigrant populations.
- Ensure targets of cyber-hate and harassment have access to justice by supporting legislation to better hold perpetrators accountable for their actions online.
- Support policies that document the prevalence of hate crimes against LGBTQ people nationally and within each state.
- Support policies that provide financial resources for LGBTQ people that have been victimized and LGBTQ organizations supporting LGBTQ people.



CRIMINAL JUSTICE AND MASS IMPRISONMENT

The United States continues to have the highest proportion of prisoners per capita of any country in the world, a product of a racially skewed criminal justice and law enforcement system. Latinos are disproportionately and adversely affected by discriminatory policing and criminal justice practices but are not actively and fully engaged in shaping their solutions. The reasons for this are multilayered but at the core is the overall Black and White binary that dominates the criminal justice debate in the country. In some parts of the country, imprisonment or arrest data is still collected only for Blacks and Whites. In other parts of the country, the police killing of unarmed Latinos and Latinas is not elevated sufficiently by the mainstream press.

Unconstitutional practices such as racial profiling based on group stereotypes, not individualized suspicion, are a constant yet unwarranted feature of Latino life both near the border and in our urban enclaves. This bias results in more frequent stops by law

enforcement, higher incidences of police brutality including death, and greater obstacles to post-incarceration re-entry. The bias is particularly acute in the pre-trial stages: Hispanics are more likely than any other racial or ethnic group to be detained pretrial, least likely to receive a non-financial release option, and are given the highest bail amounts. This is true even when controlling for the type of offense, prior failure to appear in court, number of charges, and prior criminal record. Latinas make up one of the fastest-growing groups imprisoned. The number of women behind bars is increasing at double the rate for men, and Latinas are 35 percent more likely to be incarcerated than White women.⁸² Once in prison, women are often subject to sexual misconduct perpetrated by prison guards who often go unpunished.⁸³ Finally, the privatization of correctional facilities, especially for immigration detention, places profit over the humane treatment of Latino families, women, and children.

POLICY RECOMMENDATIONS

DATA COLLECTION

- Require through regulatory oversight the collection of all relevant criminal justice data at the federal and state level for both Hispanics and others across racial classifications, as well as sexual orientation and gender identity classifications.
- Condition federal appropriations to States on full and accurate race and ethnicity reporting, such as accurate reporting on those who may have two or more races or ethnicities, including Afro-Latinos, Asian American Latinos, and Indigenous Latinos.

ADDRESSING ABUSE OF POWER BY LAW ENFORCEMENT

- Reform policing in the U.S. to address issues of systemic racism and excessive use of force and hold law enforcement officers accountable for use of excessive force, assault, and murder of African Americans, Latinos, Indigenous persons, and other persons of color.
- Enact policies that prohibit retributive crackdowns against protestors.
- Support the use of body cameras on police personnel and other measures to document the incidences of the use of police

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force, with appropriate protections for the confidentiality of victims of underreported crimes, such as domestic violence and sexual assault.

- Support the institution of special prosecutors to independently investigate and convene grand juries in every instance of a shooting or other severe physical harm of civilians by law enforcement.
- Require a full accounting of all injuries and attacks against Latinos and immigrants in private federal detention centers.
- Adopt guidelines from the American Bar Association on a uniform Spanish translation of Miranda rights for Spanish dominant persons in arrest settings; extend appropriate language protections to persons from Central and South America whose dominant language is a native language.
- Enact a law expressly prohibiting profiling based on race, national origin, skin color, religion, gender, sexual orientation, or gender identity by federal, state, and local law enforcement agencies.
- Encourage law enforcement to adopt the best practices for policing LGBTQ communities as included in the President's Task Force on 21st Century Policing, and condition federal grants to law enforcement agencies on adopting LGBTQ-inclusive anti-profiling and anti-bias policies.
- Require that DOJ publish and disseminate model policies for law enforcement agencies on key topics including police sexual misconduct, interactions with LGBTQ people, and eliminating the confiscation and use of condoms as evidence of prostitution.
- Ensure that DOJ issue strong regulations to implement the Violence Against Women Act's nondiscrimination provisions for police, courts, prosecutors and victim service programs receiving VAWA funds, including ensuring that transgender individuals have access to services and programs consistent

with their gender identity.

- End "stop-and-frisk" policies, which disproportionately impact Latinos, other people of color, immigrants, and LGBTQ people.

PRE-TRIAL REFORMS

- Provide increased funding for restorative justice programs in the pre-trial context to support alternatives that reduce the over-reliance on the criminal legal system and reduce the mass incarceration of individuals from communities of color.
- Eliminate money bail in all cases except where there is a legitimate risk to public safety.
- Reform bail procedures so that those who are ultimately not convicted are refunded their full bail payment, and eliminate bail requirements for asylum claimants.
- Develop a far-reaching mechanism to enforce *Padilla*, which holds that defense attorneys must explain the immigration consequences of a guilty plea to their clients.
- Prohibit excessive bonds and civil forfeiture, which often disproportionately impacts Latinos and immigrant detainees.

TRIAL AND SENTENCING REFORMS

- Study mechanisms to increase the diversity of criminal court juries by promoting service by non-English speakers, non-citizens, and persons with previous criminal convictions.
- Adopt drug policy reform measures that have the biggest impact on reducing the incarceration of Latinos for nonviolent drug crimes.
- Eliminate mandatory minimums, which take discretion away from judges to take nuances of a given case into account, and result in longer prison sentences, thus expanding the prison population.
- Ban the use of the death penalty, which disproportionately impacts people of color.

- Require DOJ to aggressively investigate complaints related to excessive fines and fees that result in increased incarceration of poor Latinos in debtors' prisons across the United States.⁸⁴
- Reduce the number of people in local jails, state, and federal prisons to stop the rapid spread of COVID-19 among incarcerated people.
- Enact policies that ensure the public can freely exercise the right to protest without being targeted for criminal prosecution and prohibit harsh sentencing against protestors.

CORRECTIONS REFORMS

- Ensure that the civil liberties of people in local jails, state, and federal prisons are protected, including in the midst of crises and emergencies, so that no one is jailed indefinitely.
- Provide increased funding for restorative justice programs in the sentencing stages to reduce the mass incarceration of individuals from communities of color.
- Hold prison guards accountable for violence and harassment against prisoners.
- Eliminate the use of private prisons and terminate the Immigration and Customs Enforcement quota for immigration detention beds throughout the country, to sever financial incentives to incarcerate Latinos. Additional policy recommendations for reforming immigrant detention can be found in the Immigration section of this report.
- Prohibit the shackling of pregnant women during their pregnancy and delivery in immigration and criminal detention centers. Such practices are cruel and cause trauma to both the mother and child.⁸⁵ Ensure access to adequate care for pregnant women in detention and prioritize alternatives to detention.⁸⁶
- Prohibit the use of solitary confinement for pregnant women, juveniles, transgender, and gender non-conforming individuals. For all others, eliminate solitary confinement for petty corrections violations, severely limit the stay in solitary confinement beyond reasonable limits, and ensure that basic human needs are provided to anyone sentenced to solitary confinement.
- Enforce and expand mechanisms to prevent sexual assault in prison and improve protocols on how to respond to sexual assault in prisons to ensure access to safety and services for survivors and accountability of offenders.
- Strengthen the Prison Rape Elimination Act to allow for an effective private right of action to hold institutions responsible for sexual harassment and assault in prison and detention.
- Prohibit the full or substantive replacement of the right to in-person visits for and with inmates, or other incarcerated or held persons, with any tech-based alternative, be it remote or on-site.
- Prohibit the denial of visitation rights as a coercive, extortive or investigative technique or for any other non-disciplinary reason, including their own or the visitor's sex, affectional or sexual orientation, gender identity, gender expression, marital status, domestic partnership or civil union, race, creed, color, ethnicity, national origin, disability, genetic information, atypical hereditary cellular or blood trait, or any other social category.
- Support a constitutional amendment to prohibit prison labor.

RE-ENTRY

- Support the establishment of educational resources (e.g., access to GEDs, financial aid, and college credits) available to prisoners as

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a way to rehabilitate Latinos behind bars.

- Eliminate felon disenfranchisement and restore eligibility to vote and access federal financial aid to all persons regardless of convictions, as a way to accelerate prisoner reentry and civic engagement and enhance democracy.
- Increase the ability for lawful permanent residents to obtain citizenship, and the right to vote, by reducing the criminal bars to naturalization.
- Require employers to “ban-the-box” so that the formerly incarcerated have better chances to find permanent employment and require colleges and universities to similarly “ban the box” on admission applications.
- Ban discrimination against people based on sexual orientation or gender identity in federally-funded re-entry programs.
- Support community re-entry programs that help LGBTQ individuals being released from incarceration reintegrate by connecting them with housing, training, support services, and employment.
- Collaborate with Hispanic Serving Institutions (HSIs) to link formerly incarcerated people with higher education opportunities upon release.
- Invest additional resources in family reunification to address the cross-generational effects of incarceration.

JUVENILE JUSTICE

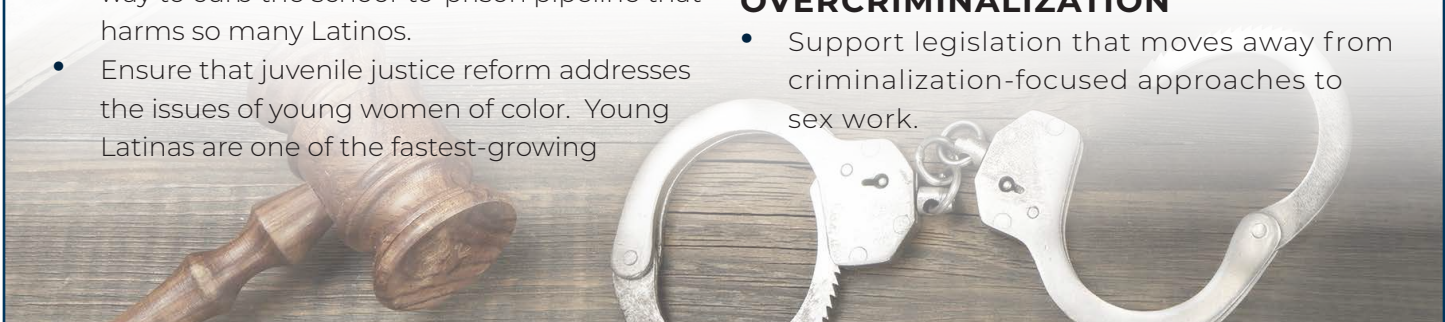
- Provide funding to school districts to reduce the racial discipline gap and over-reliance on school suspensions of Latino students as a way to curb the school-to-prison pipeline that harms so many Latinos.
- Ensure that juvenile justice reform addresses the issues of young women of color. Young Latinas are one of the fastest-growing

segments in the juvenile justice system.⁸⁷

- Ensure that juvenile justice facilities and adult facilities across the country track Latinos by race, gender, and ethnicity, from initial court processing through final sentencing or case disposition.
- Advance a federal mandate that requires all children under 18 years of age to be tried as youth offenders. Latino youth are more likely than their White peers to receive adult sentences.
- Insist that incarcerated youth receive the same quality vocational and educational opportunities that public school students receive by implementing stronger accountability systems.
- Allow teens to speak with a trauma-informed counselor who may be able to determine whether the juvenile has been a victim of sexual assault or domestic violence to address his or her needs as a survivor, not as a criminal.
- Support policies that require the Department of Justice’s (DOJ) Office of Juvenile Justice and Delinquency Prevention (OJJDP) to issue guidance discouraging the arrest and detainment of truant and homeless youth simply because they are truant or homeless.
- Support legislation that combats the school-to-prison pipeline for LGBTQ youth.
- Ensure that juvenile justice programs address the particular issues faced by LGBTQ Hispanic youth, who are disproportionately homeless and resort to survival crimes that place them in the juvenile justice system.

OVERCRIMINALIZATION

- Support legislation that moves away from criminalization-focused approaches to sex work.



EMPLOYMENT DISCRIMINATION

NHLA strongly supports vigorous federal enforcement of Title VII of the Civil Rights Act, and other federal anti-discrimination laws, especially as they relate to actions on behalf of Latino employees.

POLICY RECOMMENDATIONS

- Ensure that the Justice Department and the Equal Employment Opportunity Commission aggressively pursue violations of civil rights employment laws, especially in matters of discrimination based on language, race, national origin, skin color, sex, sexual orientation, gender identity, previous criminal histories, and creditworthiness.
- Support affirmative action outreach and hiring benchmarks via the federal contracting process through the Office of Federal Contract Compliance and other means.
- Ensure robust implementation of Executive Order 13583, or any similar executive actions, to increase Latino representation in the federal workforce.
- Enhance enforcement of protections against discrimination based on race, color, sexual orientation, gender identity, national origin, citizenship status, or previous criminal history.
- Enhance protections for survivors of violence to take time off work to deal with child custody, criminal prosecutions, protection orders, and other issues related to intimate partner violence, and to be able to access unemployment compensation when needing to leave a job as a direct result of domestic violence.
- Enhance protections and improve enforcement of protections against discrimination on the basis of sex to better prevent and respond to sexual harassment and sexual assault in the workplace.
- Create pathways to professional licensing for non-citizens.
- Enhance enforcement of protections against pregnancy discrimination. Women of color and immigrant women disproportionately work in physically demanding and low-wage jobs that offer little flexibility. Thus, they are especially likely to need these accommodations.⁸⁸
- Update and improve the EEOC's guidance on national origin discrimination as a way to curb unlawful practices against Latinos.
- Take steps to protect against bias-driven harassment in the workplace, based on race, color, sexual orientation, gender identity, national origin, or citizenship status.
- Enhance protections against discrimination on multiple bases, such as national origin and sex, or national origin and LGBTQ identity, among others, on matters like hiring, promotion, pay, and other workplace decisions.
- Enhance protections for undocumented immigrants against retaliatory discharge and adverse immigration consequences for seeking to enforce anti-discrimination laws.

LANGUAGE AND INTEGRATION

The Latino community strongly opposes both the increasing hostility to language minorities and the resulting efforts to establish English as the national or official language.

POLICY RECOMMENDATIONS

- Oppose national, state, and local laws and legislation that attempt to establish English as the official or national language because they are unnecessary, harmful, and conflict with the constitutional rights of citizens and non-citizens.
- Support government funding for adult English literacy classes.
- Support “English-Plus” legislation that celebrates the country’s multiculturalism and multilingualism and enhances our global competitiveness.
- Ensure that meaningful access to services

under Title VI of the Civil Rights Act and Executive Order 13166 language assistance standards (for those with limited English proficiency skills) are carried out in all federally conducted activities, and by recipients of federal assistance, like state courts and law enforcement agencies.

JUDICIARY

A fair and independent judiciary is critical for the preservation of Latino civil rights. As the Latino population continues to grow, and the backlash of discrimination continues to manifest itself, the need to protect the civil rights of the community will become even greater. NHLA firmly denounces any representation from members of the executive or legislative branch that judges of Latino

ancestry are somehow biased and unfit to serve on the judiciary or preside over specific cases.

Having diverse perspectives and experiences represented on the bench further enriches the ability of the judiciary to consider cases that affect our nation’s diverse population and reverses the underrepresentation of Latinos in the judiciary.

POLICY RECOMMENDATIONS

- Nominate and confirm judges who have demonstrated a record of preserving or expanding civil rights legal protections and who reflect the growing diversity of the country.
- Increase efforts to close the gap of law school enrollment and increase retention of Latino students to diversify the ranks of lawyers.
- Nominate and confirm more Latina, Latino, and Latinx judges, to improve the representation of Hispanics in the federal judiciary.
- Nominate and confirm other judges with significant experience with an awareness of the growing Latino population.
- Nominate and confirm judges with a record of advancing equality and opportunity for LGBTQ people.

GOVERNMENT SERVICES AND PUBLIC ACCOMMODATION DISCRIMINATION

Public employees should serve all who seek the services of the office they work in based on the criteria and portfolio of the department or office, not on their personal or religious beliefs. The religious freedom of employees does not extend to imposing their personal religious views on their government work, even if those views are shared by a majority of the community they serve in. Public decision-making, in general, should be blind

to gender identity and sexual orientation unless it addresses them to protect persons who may be discriminated against for those reasons. Public accommodations, like hotels and restaurants, should serve all people except when a law of general application (like the age requirement to purchase alcohol) applies. Public accommodations should not serve to enforce immigration laws.

POLICY RECOMMENDATIONS

- Oppose policies that allow discrimination by government employees or public accommodations based on immigration status, sexual orientation or gender identity, as an exception or otherwise, for religious, political, or other reasons.
- Enact the Equality Act, which would amend and expand existing civil rights law to provide consistent and explicit

non-discrimination protections for LGBTQ people across employment, housing, credit, education, public spaces and services, federally funded programs, and jury service.

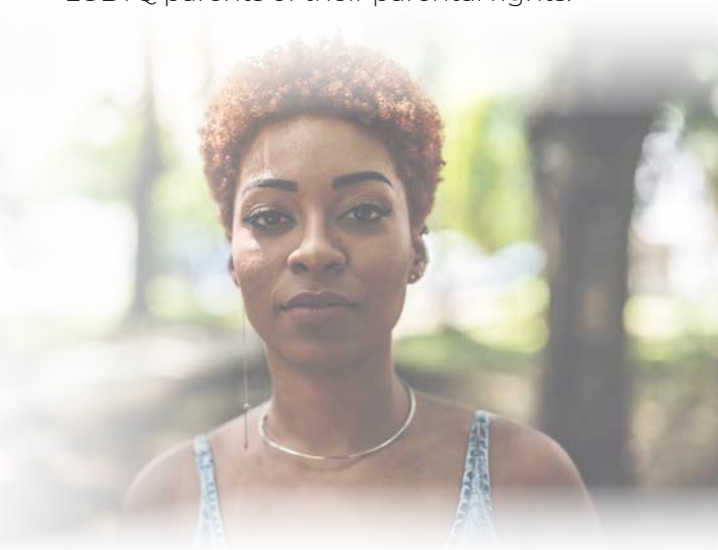
- Defend marriage equality.
- Oppose discriminatory measures that deprive LGBTQ parents of their parental rights.

RIGHTS OF PUERTO RICANS

POLICY RECOMMENDATIONS

- Eliminate the discriminatory disbursement of disaster funds allocated by Congress by the Executive Branch to ensure equal treatment of Puerto Ricans on the island.
- Ensure that rebuilding and recovery in Puerto Rico is not an excuse for exploitation or displacement or for waiving any civil, human, or environmental rights in the name of speed or greed.
- Require the recovery and rebuilding process to prioritize mitigation before displacement.

- Ensure all people are allowed to elect to stay, choose where to relocate, and have a say in decisions that impact their communities.
- Ensure all communities receive equitable and just access to resources and treatment, regardless of income, property value, location, or other qualifiers.



PROMOTING DIVERSITY AND TOLERANCE IN MEDIA

Today nearly 40 percent of Americans are people of color, yet exceedingly few people of color are represented at mainstream media outlets. Latino men in lead roles are on the decline and Latinas, though their share of leadership roles is increasing, continue to be relegated to roles based on gender and ethnic stereotyping. For example, since 1996 Latinas have portrayed nearly 70 percent of

the most well-known maids on television and cinema.⁸⁹ This lack of diversity has resulted in reckless and false representations of Latinos and other people of color, fostering a climate of hate and intolerance that breeds racism and hate crimes. It has also prevented Latinos and other communities from accessing the important news and information needed to fully engage in our democracy.

POLICY RECOMMENDATIONS

- Encourage a comprehensive Federal Communications Commission (FCC) inquiry into the extent and effects of hate speech in media, and an update to the National Telecommunications and Information Administration's (NTIA) 1993 report to Congress, *The Role of Telecommunications in Hate Crimes*.
- Undertake efforts to discontinue the use of inflammatory language about Latinos and immigrants by the media to help prevent the fueling of hate speech and intolerance.
- Work with the tech industry — including Facebook, Google, and Twitter — to establish a strong, actionable commitment to transparency and protections, particularly against the rise and spread of hate online.
- Support legislation and other policy solutions to reinstate and protect the open internet via Title II net neutrality.
- Support FCC policies to expand and promote media ownership diversity.
- Oppose broadcast consolidation as a race-neutral way to open doors for diverse owners to enter the media marketplace, including but not limited to unreasonable covert consolidation, such as through Joint Sales Agreements and other vehicles, designed to circumvent FCC ownership limits.
- Expand internet access to lessen the digital divide, which should include Broadband Mapping.
- Support policies to increase reliable, meaningful, and affordable access to the internet and other telephonic services, including the defense of the Lifeline program.
- Ensure that the FCC is collecting thorough data on the diversity of media ownership and employment. Require that the FCC provide this data to the public in a transparent and easily searchable format that breaks the numbers down by race and ethnicity.
- Support Congressional action to reinstate the “minority tax certificate,” which increased ownership diversity substantially before it was abandoned in the late 1990s.